

# Minutes of the Veneta City Council

## April 25, 2005

Present: Mayor Brooker, Darrell Carman, Thomas Cotter, and Marion Esty

Absent: Fred Miller

Others: Ric Ingham, City Administrator; Sheryl Hackett, City Recorder; Margaret Boutell, Community Services Director, Sgt. Trapp, LCSO; Donna Stricklan, West Lane News; and Jeneca Jones, West Lane News

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Mayor Brooker called the Veneta City Council to order at 7:01 p.m.

1. **PUBLIC COMMENT:** None

2. **CONSENT AGENDA**

Mayor Brooker asked that the annual liquor license renewals be pulled from the consent agenda because he has some questions for OLCC. The City has until the end of May to make its recommendation.

**MOTION:** Thomas Cotter made a motion to approve the consent agenda with the exception of the annual liquor license renewals. Marion Esty seconded the motion.

Discussion: In response to a question from Thomas Cotter, Ric said the bills for Lincoln Equipment and Sun River are for pool certification training that Justin Mitchell will be attending.

In response to a question from Thomas Cotter about the bill for Ackley, Melendy, & Kelly, Ric said the bill is for work being done by attorney Gary Ackley on the Oregon Country Fair access agreement. The City Attorney is unable to prepare the agreement because they represent both the City and OCF.

In response to a question about the bill for USA Blue Book, Mayor Brooker said they are the equipment supplier doing the media testing for the new water filters.

**Vote:** Marion Esty, aye; Thomas Cotter, aye; Mayor Brooker, aye; and Darrell Carman, aye.

The consent agenda as approved included bills paid and payable for March/April 2005 and the Civic Calendar for May 2005.

3. **PUBLIC HEARING - Adoption of Supplemental Budget**

a. Call to order: Mayor Brooker opened the public hearing at 7:08 p.m.

b. Declaration of Potential Conflict of Interest and Ex parte Contacts: None

- c. Staff Report: Ric explained the purpose of the supplemental budget is to deal with the increased work load in the planning department. On March 28, 2005 the City Council authorized staff to prepare a supplemental budget to add an additional \$15,000 for temporary planning staff assistance, which included a \$3,000 contingency amount. The money will come from additional property taxes that were received and will be allocated in the General Fund.

Mayor Brooker said the City underestimated the amount of taxes that would be collected for fiscal year 2004/05. Part of the additional tax money is what will be allocated to planning.

- d. Proponents: None
- e. Opponents: None
- f. Questions from the Council: Ric said staff came forward with a request for \$12,000 request and will try to stay within that amount.
- g. Close of Hearing: Mayor Brooker closed the public hearing at 7:10 p.m.
- h. Decision on the Issue:

**Resolution 896** - A RESOLUTION TO ADOPT A SUPPLEMENTAL BUDGET FOR FISCAL YEAR 2004-2005.

**MOTION:** Thomas Cotter made a motion to approve Resolution 896 adopting a supplemental budget for Fiscal Year 2004-05. Darrell Carman seconded the motion which passed with unanimous vote of 4-0.

#### 4. DEPARTMENT REPORTS

##### a. FROM MAYOR/COUNCILORS

- (1) Report on law enforcement activities - Sergeant Byron Trapp

Mayor Brooker said he has noticed a lot of repeat addresses on the monthly activity reports. Sgt. Trapp said that is a common pattern throughout the county. He said most of the activity that requires the services of law enforcement is generated by a small percentage of the population. In response to a question, he said there isn't much of a difference in owner vs rental properties when it comes to problem locations.

In response to a question about the coding on the monthly activity report, Sgt. Trapp said Patrol I is activity within in the city limits of Veneta, Patrol C is the activity in the county area surrounding the City, Patrol T is traffic team activity, and Patrol F is the Forest Contract activity.

In response to a question about the corresponding summary and detail report, Sgt. Trapp said he will check into the discrepancy between the

number of incidences on the summary report and detailed activity report.

Social Gaming: In response to a question about social gaming, Sgt. Trapp said the Dept. of Justice gaming enforcement division works only with the tribal casinos and the Oregon State Police focuses it's attention on lottery games. He has contacted OSP to see what resources they have for doing some local social gaming enforcement. He said it is not feasible to have the uniformed officers assigned to the area do enforcement because they are too well known. The Sheriff's Office does not have the resources to provide undercover gaming enforcement; therefore, if the City established social gaming it would be difficult to enforce.

In response to a question from Marion, Sgt. Trapp said his understanding of social gaming is that the bar cannot get a percentage.

Mayor Brooker said the City has had a request to allow social gaming and the Council needs to find out what the ORS statutes already allow and what type of ordinance the City would need to adopt. The related issue is enforcement.

Parole & Probation (P&P): Ric said the City has had a request to allow the Parole and Probation Officer assigned to the area use space in City Hall. Currently P&P leases space at the Garcia Center. They are terminating that lease at the end of the fiscal year. Sgt. Trapp said having the officer working out of City Hall would benefit the local deputies by keeping them better informed about the activities of repeat offenders living in the area. P&P has the ability to conduct searches when they suspect a parole violation. The potential negative impact would be an increase in the number of people coming in to City Hall.

Marion said she feels it is appropriate to have Parole & Probation share space with the deputies.

In response to a question from Mayor Brooker, Ric said P&P would need to enter into some agreement with the City which lays out how business will be conducted. Sgt. Trapp said he does not anticipate having people sitting around in the lobby because the P&P Officer generally works on an appointment basis.

Sgt. Trapp said he will coordinate a meeting with P&P to discuss office space and procedures.

Mayor Brooker asked that City staff be made aware of the possible assignment.

b. COUNCIL/COMMITTEE LIAISONS

Marion Esty (Park Board) - a Park Board meeting is scheduled for Wednesday to discuss budget items.

Marion Esty (Region 2050) - Carol Heinkel is getting ready for the June 9<sup>th</sup> Open House. Veneta will be the first community to do the visioning outreach. Marion said she will talk to Jeneca about getting some coverage in the West Lane News. Ric said Carol Heinkel has been working with Margaret and he asked Marion to get together with her to coordinate their efforts.

Thomas Cotter (Fern Ridge Chamber) - a meeting is scheduled for Thursday at Shadowhills Country Club in conjunction with Junction City to talk about the Fern Ridge Trail and possible agri-businesses. The Chamber will be submitting a grant request from SOLV to help with the Fern Ridge clean-up effort. The Chamber anticipates an additional 5,000 cars per day will use Hwy 126 when Clearlake Road is closed for the dam repair work.

Mayor Brooker (Personnel Handbook) - a meeting is schedule with the City Attorney for Wednesday to discuss their recommended revisions.

Marion Esty (Cultural Coalition) - 49 applications have been received for grant funds. Jeneca Jones asked Marion to let her know if any of the grants get awarded to local organizations.

Darrell Carman (Regional Theater) - last Tuesday they had a fairly productive meeting and they've had quite a bit of response to their community survey.

Darrell Carman (LCOG) - Darrell will attend the LCOG meeting this month.

## 5. STAFF REPORTS

### a. COMMUNITY SERVICES DIRECTOR

#### (1) Vacation of Drainage Easement for Shadowridge Subdivision

Margaret explained the purpose of the request to vacate a 14' drainage easement in the Shadowridge Subdivision is to correct an error on the subdivision plat. The drainage ditch on lots 15 and 20 is located on the east side the lots; however, the easement was shown on the plat along the west side of the lots. A corrected easement has been recorded and the vacation will remove the incorrect easement.

**MOTION: Darrell Carman made a motion to approve the vacation of a drainage easement in the Shadowridge Subdivision. Thomas Cotter seconded the motion which passed with a unanimous vote of 4-0.**

#### (2) Public Comments on Stormwater Methodolgy

Margaret said there have been no changes to the methodology since the last time it was presented to the Council. This is the opportunity for the public to provide oral comments. The City will accept written comments through June 11, 2005.

No public comments were received and there were no questions or comments from the Council.

(3) Street Light Pole Placement

The City's current lighting code requires street lights to be spaced 120 to 180 feet apart, depending on block length, curves, and lot sizes. Street lights are also required at key locations such as intersections and dead-ends. She said some of the new subdivisions appear to be excessively lit. She said another reason to consider revising the spacing requirement is the monthly cost the City incurs for electricity.

Marion Esty said she drove through the Shadowridge Subdivision and she wishes other areas were as well lit. She asked Ric if the residents feel it is too bright.

Ric said the way the current ordinance is written, when street lights are required at all intersections, you could end up with lights within about 60' of each other. He said there are two issues related to street lights, light pollution and lighting costs. The amount of light pollution needs to be balanced against creating a safe environment.

Darrell Carman said the lack of landscaping that can reduce the light impact in the new subdivisions is a temporary situation.

Mayor Brooker said the Council needs to determine what amount of lighting is adequate. If the City adopted the spacing standards used by other communities, the City could be more fiscally responsible.

Marion said some the street lighting in some areas of the City, such as Eighth Street between McCutcheon and Parkside, is not adequate. The lack of sidewalks creates even more of a safety hazard.

In response, Ric said developers are required to install street lights only in new subdivisions. That does not help the areas of town where street lights are not adequate.

**MOTION:** Thomas Cotter made a motion to direct staff to prepare an ordinance amending the street light spacing standards in the City's lighting ordinance. Marion Esty seconded the motion.

**Discussion:** In response to questions, Ric said the actual cost per pole is included in Margaret's memorandum. Staff is recommending that street lights still be required at strategic locations such as intersections, the end of cul-de-sacs, and at the end of dead-end street.

**Vote: The motion passed with a vote of 4-0.**

**(4) Acceptance of Public Utility Easement for the Lawler Subdivision**

Ric pointed out the location of the proposed easement and proposed subdivision on the City's aerial photo. Sheryl explained that the proposed subdivision is on the north side of Bolton Hill between 6<sup>th</sup> Street and 8<sup>th</sup> Street. That portion of Bolton Hill Road does not have a City sewer line and the easement is needed for access to the sewer line on 6<sup>th</sup> Street to provide sewer service to the subdivision. The property owner owns another easements; however, a large number of trees would have to be removed to use the existing easement.

**MOTION: Thomas Cotter made a motion to accept the Public Utility Easement for the Lawler Subdivision. Darrell Carman seconded the motion.**

**Discussion:** In response to a question, Sheryl explained that the developer is asking for the easement to be accepted during the tentative stage of the subdivision because access to the City sewer is critical to the subdivision.

**Vote: The motion passed with a vote of 4-0.**

**(5) Request to purchase a vehicle for Public Works**

Margaret presented a memorandum prepared by Kyle Schauer recommending the purchase of a 1992 dump truck that is in excellent condition with low mileage.

In response to a question, Ric said the City's sander and snow plow are fairly new and may need to be modified to fit the new truck. He recommended having public works staff drive to Washington to pick up the truck so they can check it out before the purchase is made final.

**MOTION: Thomas Cotter made a motion to purchase the dump truck recommended by Kyle Schauer. Marion Esty seconded the motion.**

**Discussion:** In response to a question from Thomas Cotter, Mayor Brooker said some used dump trucks are not in good enough shape to justify the price. In this case, the truck is in good shape and should have some longevity. A new dump truck would cost about \$60,000.

**Vote: The motion passed with a unanimous vote of 4-0.**

b. CITY ADMINISTRATOR

- (1) Request from Fern Ridge Chamber of Commerce for sponsorship of this year's Business Expo to be held Saturday, May 14, 2005.

On behalf of the Fern Ridge Chamber of Commerce, Donna Stricklan asked the Council to help support the Business Expo again this year. She said a lot of enthusiasm was generated last year. Mayor Brooker said last year was successful and the Expo provides good exposure for businesses in the community. He said he is in favor of the City being a sponsor.

**MOTION: Thomas Cotter made a motion for the City to be a sponsor for the Business Expo. Darrell Carman seconded the motion which passed with a vote of 4-0.**

- (2) Request to allow Social Gaming in Veneta:

Mayor Brooker said he would like to get more information from OLCC and the City Attorney before making a decision. He asked Ric to check the ordinances for other cities that allow social gaming, such as Eugene and Junction City. Marion Esty agreed that the Council needs more information and a legal review.

Ric said the request came in late Friday and he has not had the opportunity to gather information. Mayor Brooker said they will take the request under advisement until they can get additional information.

Thomas Cotter said he would like staff to ask the City Attorney what the City's responsibility is if they do not have an ordinance, what the City's liability is if they adopt an ordinance, and what enforcement action can be taken.

Mayor Brooker said Sgt. Trapp has concerns about how the local deputies could enforce the ordinance and he isn't sure if they can get assistance from OSP.

Thomas Cotter said the deputies would be able to handle violations that may result from social gaming, such as disorderly conduct.

Mayor Brooker directed staff to research the issue and bring back additional information before the Council makes a decision.

- (3) Discussion regarding the City's surplus real estate

The City has had several requests to purchase the City owned lots in the Tanglewood area of the Northeast Employment Center. The City originally owned eleven lots but recently swapped three of the lots for the Well 10 site. Ric asked the Council if they would like the City to declare the lots surplus property and obtain an appraisal. If the lots are sold as

surplus property they would be sold to the highest bidder.

Mayor Brooker said he is in favor of having the lots appraised; however, he doesn't want to make a decision about selling the lots until he knows the value. Thomas Cotter agreed that they should first get the appraisal and then decide how they want to proceed.

**By consensus, the Council directed staff to have the Tanglewood lots appraised.**

## **6. OTHER**

### Inflow & Infiltration Bids:

On February 14, 2005 the City Council authorized Jerry Elliott to solicit bids for the I & I project. Ric advised the Council that Jerry Elliott has prepared the bid documents and is ready to advertise. The City Attorney will be asked to review the documents before they are put out to bid because it is the first City project since the new Oregon Procurement Rules were adopted.

### Budget:

Ric advised the Council the draft budget should be ready to mail by Friday. The first budget meeting is scheduled for May 5, 2005.

### City-wide Clean-up:

A community open house is scheduled for Thursday, April 28, 2005. City staff, the Neighbors for Responsible Growth, and County Transfer and Recycling (CTR) will be available to give out information and answer questions. Information was distributed at the West Lane Center last weekend. The clean-up is for citizens who live inside city limits. In their contract, CTR has agreed to hold two events a year.

### Joint Meeting with Veneta Planning Commission:

Ric reminded the City Council that a joint meeting will be held with the Veneta Planning Commission on May 11, 2005 to consider Mr. Coven's wetland variance application.

### Business Expo:

The Chamber of Commerce Business Expo is scheduled for Saturday, May 14, 2005. The number of meetings during the month of May will make it difficult to find people to attend all of the events.

### Arbor Day:

In recognition of Arbor Day, a tree planting ceremony is scheduled for Friday, April 29, 2005 at 5:00 p.m. at Territorial Park.

### Veteran's Park:

Thomas Cotter said he would like to see the City recognize veteran's by naming a park after them or putting up a memorial or planting a tree for them in one of the City's parks. Mayor Brooker said it would be nice to do something like that on Memorial Day. Ric suggested asking the Parks Committee to take it under consideration and make a



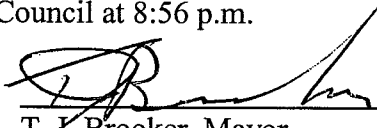
recommendation. Marion Esty said a veteran's group may be interested in helping to maintain a park that was named after them. Margaret Boutell said she will bring the issue to the Park Board at their May 4, 2005 meeting.

Poplar Site Wetland Study: Ric advised the Council that Nancy Holzhauser of Environmental Solutions has completed the wetland report for the City's poplar site and her recommendation is expected in the near future.


City Flags: Darrell Carman thanked Teresa Warrick for purchasing the new outdoor flags for City Hall.

7. **ADJOURN**

Mayor Brooker adjourned the Veneta City Council at 8:56 p.m.

  
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T. J. Brooker, Mayor

ATTEST:

  
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Sheryl Hackett, City Recorder  
(minutes prepared by SL Hackett)